

### Subpart C—Office of Inspector General

#### § 1.70 Overview.

This subpart describes the key responsibilities of the Office of Inspector General, the structure of the office, and the authority of the Inspector General.

#### § 1.71 Key responsibilities.

The Inspector General conducts, supervises, and coordinates audits and investigations; reviews existing and proposed legislation and makes recommendations to the Secretary and Congress concerning their effect on the economy and efficiency of program administration, or the prevention and detection of fraud and abuse; recommends policies for and conducts, supervises, or coordinates other activities of the Department for the purpose of promoting economy and efficiency in program administration, or preventing and detecting fraud and abuse; and keeps the Secretary and the Congress fully and currently informed.

#### § 1.72 Structure.

This Office is composed of:

- (a) The Office of the Deputy Inspector General;
- (b) The Office of the Principal Inspector General for Investigations;
- (c) The Office of the Principal Inspector General for Auditing and Evaluation;
- (d) The Office of the Assistant Inspector General for Administration;
- (e) The Office of the Assistant Inspector General for Legal, Legislative and External Affairs;
- (f) The Office of the Assistant Inspector General for Aviation and Special Programs;
- (g) The Office of the Assistant Inspector General for Financial and Information Technology Audits;
- (h) The Office of the Assistant Inspector General for Highway and Transit Audits;
- (i) The Office of the Assistant Inspector General for Rail, Maritime and Economic Analysis; and
- (j) The Office of the Assistant Inspector General for Acquisition and Procurement Audits.

#### § 1.73 Authority of Inspector General.

The Inspector General shall report to and be under the general supervision of the Secretary and Deputy Secretary. The Inspector General has such authority as is provided by the Inspector General Act of 1978, as amended, and as is otherwise provided by law. Authorities provided to the Inspector General by law are reserved to the Inspector General. In accordance with the statutory intent of the Inspector General Act to create an independent and objective unit, the Inspector General is authorized to make such investigations and reports relating to the administration of the programs and operations of the Department as are, in the judgment of the Inspector General, necessary and desirable. Neither the Secretary nor the Deputy Secretary shall prevent or prohibit the Inspector General from initiating, carrying out, or completing any audit or investigation, or from issuing any subpoena during the course of any audit or investigation.

#### § 1.74 Delegations to Inspector General.

The Inspector General is delegated authority to:

- (a) Redelegate and authorize successive redelegations of authority granted by the Secretary within the Office of Inspector General, except as limited by law or specific administrative reservation.
- (b) Authorize and approve official travel, including foreign travel and transportation for themselves, their subordinates, and others performing services for, or in cooperation with, the Office of the Secretary.
- (c) Exercise the authority of the Secretary to resolve informal allegations of discrimination arising in or relating to the Inspector General through Equal Employment Opportunity counseling or the Alternative Dispute Resolution process and to develop and implement affirmative action and diversity plans.
- (d) Exercise the authority vested in the Secretary by 49 U.S.C. 326(a) to accept gifts of property (other than real property) or services (in carrying out aviation duties and powers), and the authority to accept travel reimbursements from non-federal sources under 31 U.S.C. 1353.



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(e) The implied authority to solicit gifts associated with 49 U.S.C. 326(a), notwithstanding the reservation of authority to the Secretary in section 1.21.

(f) Carry out the emergency preparedness functions assigned to the Secretary by Executive Order 12656 (as amended; see E.O. 13286) and by the Federal Emergency Management Agency and General Services Administration (FEMA and GSA) as they pertain to the Office of Inspector General, including those relating to continuity of operations, emergency resource management, and training.

(g) Determine the existence and amount of indebtedness and the method of collecting repayments from employees and members within the Office of Inspector General and collect repayments accordingly, as provided by 5 U.S.C. 5514.

(h) Waive claims and make refunds in connection with claims of the United States for erroneous payment of pay and allowances or of travel, transportation, and relocation expenses and allowances in amounts aggregating not more than \$1,500 without regard to any repayments, and deny requests for waiver of such claims regardless of the aggregate amount of the claim, as provided by 4 CFR parts 91, 92, and 93.

(i) Settle and pay claims by employees for personal property losses as provided by 31 U.S.C. 3721 (Claims of personnel of agencies and the District of Columbia government for personal property damage or loss).

(j) Review and approve for payment any voucher for \$25 or less the authority for payment of which is questioned by a certifying or disbursing officer.

(k) Request the Attorney General, after the concurrence of the General Counsel, to approve the award, compromise, or settlement of any tort claim for an amount exceeding \$100,000 (excluding interest) (28 U.S.C. 2672).

(l) Compromise, suspend collection action on, or terminate claims of the United States not exceeding \$100,000 (excluding interest) that are referred to, or arise out of the activities of the Office of Inspector General.

(m) Compromise, suspend collection action on, or terminate tort claims against the United States not exceeding \$100,000 (excluding interest) that

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are referred to, or arise out of the activities of the Office of Inspector General provided that when the Inspector General believes that a claim against the United States presents a novel question of law or of policy, he or she shall coordinate with the General Counsel to obtain the advice of the Assistant Attorney General in charge of the Civil Division; and provided further that whenever he or she settles any administrative claim against the United States for an amount in excess of \$50,000, the Inspector General shall prepare a memorandum fully explaining the basis for the action taken and coordinate with the General Counsel before sending a copy of the memorandum to the Director, Federal Torts Claims Act Staff, Torts Branch of the Civil Division, U.S. Department of Justice.

(n) Make written requests under subsection (b)(7) of the Privacy Act, 5 U.S.C. 552a(b)(7), for records maintained by other agencies that are necessary to carry out an authorized law enforcement activity.

### **Subpart D—Operating Administrations**

#### **§ 1.80 Overview.**

This subpart sets forth the key responsibilities of the Operating Administrations, and the delegations of authority from the Secretary of Transportation to the Administrators.

#### **§ 1.81 Delegations to all Administrators.**

(a) Except as prescribed by the Secretary of Transportation, each Administrator is authorized to:

(1) Exercise the authority of the Secretary over and with respect to any personnel within their respective organizations.

(2) Exercise the authority of the Secretary as executive head of a department, under any statute, Executive Order or regulation.

(3) Exercise the authority vested in the Secretary to prescribe regulations under 49 U.S.C. 322(a) with respect to statutory provisions for which authority is delegated by other sections in this part.